

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NICOLE BRUCE,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF  
EDUCATION, *et al.*,

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/6/25
---

25-CV-1986 (GHW) (BCM)

**ORDER REGARDING GENERAL  
PRETRIAL MANAGEMENT**

**BARBARA MOSES, United States Magistrate Judge.**

The above-referenced action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, and for report and recommendation on dispositive motions, if any, pursuant to 28 U.S.C. § 636(b)(1)(A) and (B). All pretrial motions and applications, including those related to scheduling and discovery, must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

**DEFENDANTS' PENDING MOTION TO DISMISS**

On July 14, 2025, defendants filed a motion to dismiss the complaint in its entirety pursuant to Rule 12 of the Federal Rules of Civil Procedure. (Dkt. 14.) Plaintiff's opposition to the motion was due on July 28, 2025. Local Civ. R. 6.1. That deadline has passed, and plaintiff has not filed any opposition. Alternatively, under Rule 15(a)(1)(B), plaintiff had 21 days after the service of the motion – until August 4, 2025 – to amend her complaint once as a matter of course. That deadline has also passed.

The Court notes that since April 23, 2025, plaintiff has been represented by counsel, and is thus not entitled to the latitude typically afforded to unrepresented parties. *See, e.g., Woodhouse v. Meta Platforms Inc.*, 704 F. Supp. 3d 502, 516 (S.D.N.Y. 2023). However, on its own motion,

the Court hereby EXTENDS plaintiff's deadline to oppose defendants' motion or amend her complaint to **August 13, 2025**. No further extensions will be granted. If plaintiff files an opposition to the motion to dismiss, defendants' reply will be due **August 20, 2025**.

*If plaintiff fails to oppose defendants' motion or amend her complaint by August 13, 2025, the Court may grant defendant's motion as unopposed and dismiss this case.*

#### **GENERAL PRETRIAL MANAGEMENT**

1. If and when a discovery schedule has been issued, all discovery must be initiated in time to be concluded by the close of discovery set by the Court.

2. Discovery applications, including letter-motions requesting discovery conferences, must be made promptly after the need for such an application arises and must comply with Local Civil Rule 37.2 and § 2(b) of Judge Moses's Individual Practices. It is this Court's practice to decide discovery disputes at the Rule 37.2 conference, based on the parties' letters, unless the Court determines that more formal briefing is required. Absent extraordinary circumstances, discovery applications made later than 30 days prior to the close of discovery will be denied as untimely.

3. For motions other than discovery motions, pre-motion conferences are not required, but may be requested where counsel believe that an informal conference with the Court may obviate the need for a motion or narrow the issues.

4. Requests to adjourn a court conference or other court proceeding (including a telephonic court conference), or to extend a deadline, must be made in writing and in compliance with § 2(a) of Judge Moses's Individual Practices. Telephone requests for adjournments or extensions will not be entertained.

5. In accordance with § 1(d) of Judge Moses's Individual Practices, letters and letter-motions are limited to four pages, exclusive of attachments. Courtesy copies of letters and letter-motions filed via ECF are required only if the filing contains voluminous attachments. Courtesy

copies should be delivered promptly, should bear the ECF header generated at the time of electronic filing, and should include tabs for the attachments.

6. If you are aware of any party or attorney who should receive notice in this action, other than those currently listed on the docket sheet, please notify Courtroom Deputy Tamika Kay at (212) 805-0228 immediately.

7. Counsel for the plaintiff must serve a copy of this Order on any defendant previously served with the summons and complaint, must serve this Order along with the summons and complaint on all defendants served hereafter, and must file proof of such service with the Court.

Dated: New York, New York  
August 6, 2025

**SO ORDERED.**



---

**BARBARA MOSES**  
**United States Magistrate Judge**